

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 931

Introduced by Beutler, 28; Brown, 6; Johnson, 37; Kopplin, 3;
Kruse, 13; Landis, 46; Price, 26; Raikes, 25;
Schimek, 27; Thompson, 14

Read first time January 5, 2006

Committee: Appropriations

A BILL

- 1 FOR AN ACT relating to the Nebraska Cultural Preservation Endowment
- 2 Fund; to amend sections 82-331 and 82-332, Reissue
- 3 Revised Statutes of Nebraska; to appropriate funds; to
- 4 state intent; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 82-331, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 82-331 (1) There is hereby established in the state
4 treasury a trust fund to be known as the Nebraska Cultural
5 Preservation Endowment Fund. The fund shall consist of funds
6 appropriated or transferred by the Legislature, and only the
7 earnings of the fund may be used as provided in this section.

8 ~~(2)~~ (2)(a) On August 1, 1998, the State Treasurer shall
9 transfer five million dollars from the General Fund to the Nebraska
10 Cultural Preservation Endowment Fund.

11 (b) On August 1, 2006, the State Treasurer shall transfer
12 five million dollars from the General Fund to the Nebraska Cultural
13 Preservation Endowment Fund.

14 (3) The Legislature shall not appropriate or transfer
15 money from the Nebraska Cultural Preservation Endowment Fund for
16 any purpose other than the purposes stated in sections 82-330 to
17 82-333, except that the Legislature may appropriate or transfer
18 money from the fund upon a finding that the purposes of such
19 sections are not being accomplished by the fund.

20 (4) Any money in the Nebraska Cultural Preservation
21 Endowment Fund available for investment shall be invested by the
22 state investment officer pursuant to the Nebraska Capital Expansion
23 Act and the Nebraska State Funds Investment Act.

24 (5) All investment earnings from the Nebraska Cultural
25 Preservation Endowment Fund shall be credited to the Nebraska Arts

1 and Humanities Cash Fund.

2 Sec. 2. Section 82-332, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 82-332 (1) The Nebraska Arts and Humanities Cash Fund is
5 created. The fund shall consist of all funds credited from the
6 Nebraska Cultural Preservation Endowment Fund pursuant to section
7 82-331. The Nebraska Arts Council shall administer and distribute
8 the Nebraska Arts and Humanities Cash Fund. All disbursements
9 from the Nebraska Arts and Humanities Cash Fund shall be matched
10 dollar-for-dollar by sources other than state funds. The match
11 funds shall be new money generated for endowments established
12 by the Nebraska Arts Council or Nebraska Humanities Council or
13 qualified endowments of their constituent organizations, new money
14 generated as a result of seed grants to recipients, or new money
15 generated by the Nebraska Arts Council or Nebraska Humanities
16 Council for arts or humanities education. New money includes, but
17 is not limited to, donations to the Nebraska Arts Council or
18 Nebraska Humanities Council in anticipation of the establishment
19 of the Nebraska Cultural Preservation Endowment Fund. New money
20 used as a match shall not be limited to matching the Nebraska
21 Arts and Humanities Cash Fund in the state fiscal year the new
22 money is received, but it shall be used as a match no later than
23 the subsequent fiscal year. For an endowment to be a qualified
24 endowment (a) the endowment must meet the standards set by the
25 Nebraska Arts Council or Nebraska Humanities Council, (b) the

1 endowment must be intended for long-term stabilization of the
2 organization, and (c) the funds of the endowment must be endowed
3 and only the earnings thereon expended. An organization is a
4 constituent organization if it receives funding from the Nebraska
5 Arts Council or Nebraska Humanities Council and is tax exempt under
6 section 501 of the Internal Revenue Code. The match funds required
7 by this section shall not include in-kind contributions. The budget
8 division of the Department of Administrative Services shall approve
9 allotment and disbursement of funds from the Nebraska Arts and
10 Humanities Cash Fund only to the extent the Nebraska Arts Council
11 has provided documentation of the dollar-for-dollar match required
12 by this section. Funds from the Nebraska Arts and Humanities Cash
13 Fund may be used for the purpose of obtaining challenge grants
14 from the National Endowment for the Humanities or the National
15 Endowment for the Arts. It is the intent of the Legislature that
16 any additional funds available to the Nebraska Arts and Humanities
17 Cash Fund as a result of the transfer made pursuant to subdivision
18 (2)(b) of section 82-331 to the Nebraska Cultural Preservation
19 Endowment Fund be used to enhance economic development throughout
20 the state, with emphasis on encouraging out-of-state visitors to
21 come to the state and on encouraging out-of-state travelers who
22 are traveling through the state to take side excursions within the
23 state.

24 (2) Rules and regulations of the Nebraska Arts Council
25 shall provide that the ultimate use of disbursements from the

1 Nebraska Arts and Humanities Cash Fund shall be as follows:

2 (a) For disbursements related to funds transferred
3 pursuant to subdivision (2)(a) of section 82-331, in a ratio of
4 seventy percent to projects, endowments, or programs designated
5 by the Nebraska Arts Council and thirty percent to projects,
6 endowments, or programs designated by the Nebraska Humanities
7 Council; and -

8 (b) For disbursements related to funds transferred
9 pursuant to subdivision (2)(b) of section 82-331, in a ratio of
10 fifty percent to projects, endowments, or programs designated
11 by the Nebraska Arts Council and fifty percent to projects,
12 endowments, or programs designated by the Nebraska Humanities
13 Council.

14 (3) Any money in the fund available for investment
15 shall be invested by the state investment officer pursuant to
16 the Nebraska Capital Expansion Act and the Nebraska State Funds
17 Investment Act.

18 Sec. 3. Original sections 82-331 and 82-332, Reissue
19 Revised Statutes of Nebraska, are repealed.